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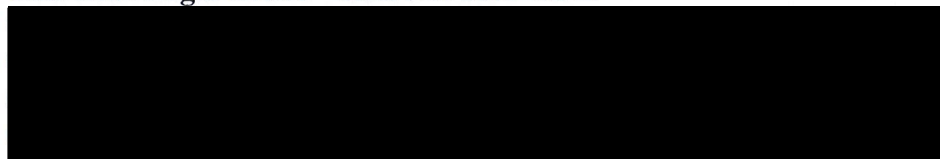
June 21, 2019

Via U.S. Mail and Electronic Transmission
Renee.Ostrander@calpers.ca.gov and Compensation.Appeals@calpers.ca.gov

Renee Ostrander
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Nancy Hao
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Re: County of Placer [CalPERS Agency ID: 4088970465] – Longevity Pay
CalPERS Legal Office – Ref. No. 2019-0542



CalPERS Participant – All Placer County Employees and Retirees

NOTICE OF APPEAL OF CALPERS' DENIAL OF REPORTED COMPENSATION

Dear Ms. Ostrander:

This letter shall serve as the County of Placer's Fifth Notice of Appeal regarding CalPERS' decision to exclude longevity pay in the calculation of compensation earnable as it relates to the above CalPERS' participant and all other County of Placer employees and County of Placer retirees. [Gov. Code § 20134 and 2 CCR §§ 555-555.4]

The County of Placer appeals CalPERS' decision denying reported compensation to the above individuals and on behalf of all employees and retirees. As the issues are the same, the County of

Placer herein asserts, as if fully set forth herein, all of the arguments made in its Notice of Appeal dated February 13, 2019, Notice of Appeal dated March 15, 2019, Notice of Appeal dated April 16, 2019 and Notice of Appeal dated April 19, 2019. [Please prior appeals previously served.] The County further requests that this appeal be joined with the four prior appeals for hearing purposes as the legal issues are identical.

INTRODUCTION:

To the above employee, CalPERS' has denied reported compensation on the following ground:

“The County’s “Longevity Pay” does not meet the PERL’s exclusive definition of Longevity Pay and is not available to the group or class because it is limited to employees at the top step of the pay range. Accordingly, we excluded this pay from the calculation of your retirement benefits.”

PARTIES:

The parties are the same as identified in the four prior appeals.

STATEMENT OF FACTS:

The County adopts, as if stated in full herein, the statement of facts presented in the four prior appeals.

STATEMENT OF LAW:

The County adopts, as if stated in full herein, the statement of law presented in the four prior appeals.

ANALYSIS:

The County incorporates Issues One through Seven of the four prior appeals as if fully set forth herein.

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Renee Ostrander

Re: County of Placer – Longevity Pay Ordinance – NOTICE OF APPEAL

June 21, 2019

Page 3

CONCLUSION:

For the reasons previously stated in the four prior appeals, the County of Placer respectfully submits that CalPERS' denial of reported compensation herein is incorrect. In making its decision, CalPERS fails to follow the letter and intent of the law and its own prior published guidance.

Very truly yours,

OFFICE OF THE PLACER COUNTY COUNSEL

By: _____



Brett D. Holt

Chief Deputy County Counsel

BDH/bhs

Cc:

Brad Hanson, Asst. Division Chief, Employer Account Management Division, CalPERS

Charles Miller, Manager, Compensation Compliance & Review Unit, CalPERS

Todd Leopold, County Executive Officer, County of Placer

Kate Sampson, Human Resources Director, County of Placer

Andrew Sisk, Auditor-Controller, County of Placer